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Attorneys for Defendant
CALIFORNIA STATE AUTOMOBILE
ASSOCIATION INTER-INSURANCE
BUREAU GROUP LONG TERM
DISABILITY PLAN

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

SUSAN O'HARTZ,

Plaintiff,

vs.

CALIFORNIA STATE AUTOMOBILE
ASSOCIATION INTER-INSURANCE
BUREAU GROUP LONG-TERM
DISABILITY PLAN,

Defendant.

Case No. C07-00415 MMC

**STIPULATION RE ATTORNEYS FEES
AND COSTS AND PREJUDGMENT
INTEREST; ~~PROPOSED~~ ORDER
THEREON**

STIPULATION

In light of the Judgment entered by this Court on September 11, 2008, counsel for plaintiff has submitted its fee and cost bill to counsel for defendant, which, after minor adjustments, defendant has approved in the total amount of \$25,000.00. Said amount will be paid directly to counsel for plaintiff. The parties have also agreed on the interest rate to

1 be paid to plaintiff on the short term disability payments ordered by the Court pursuant to
2 the terms of the defendant Plan, and, without admitting liability therefor, the Plan will pay to
3 plaintiff interest on the calculated short term disability payment at an annual rate of ten
4 percent (10%). Plaintiff will therefore not need to file her motions for attorneys fees and
5 costs and prejudgment interest, by the deadline set forth in the Court's Judgment and
6 under Local Rule 54-6 or at all.

7 DATE: September 23, 2008

THORNTON DAVIDSON & ASSOCIATES

8
9 By: /s/ Thornton Davidson
10 THORNTON DAVIDSON

11 Attorneys for Plaintiff
SUSAN O'HARTZ

12 DATE: September 23, 2008

GREEN & HUMBERT

13
14 By: /s/ C. Mark Humbert
15 C. MARK HUMBERT

16 Attorneys for Defendant
17 CALIFORNIA STATE AUTOMOBILE
ASSOCIATION INTER-INSURANCE
18 BUREAU GROUP LONG-TERM
DISABILITY PLAN

19 **~~PROPOSED~~ ORDER**

20 **IT IS SO ORDERED.** ~~Because plaintiff and defendant have resolved by stipulation~~
21 ~~In light of the Court's ruling, plaintiff need not file a motion for fees, costs, or prejudgment~~
~~the attorneys fee and cost and prejudgment interest issues, plaintiff will not need to file her~~
22 ~~interest.~~
~~motions for fees and costs and for prejudgment interest.~~

23 Dated: September 25, 2008

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MAXINE M. CHESNEY
25 United States District Judge
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